

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIE G. DANTZLER,

Petitioner,

Case No. 16-cv-11254

HON. MARK A. GOLDSMITH

v.

J.A. TERRIS,

Respondent.

**ORDER SUMMARILY DISMISSING PETITION FOR WRIT OF HABEAS CORPUS
WITHOUT PREJUDICE**

Petitioner Willie Dantzler is in the custody of the Federal Bureau of Prisons and presently incarcerated at the Federal Correctional Institution in Milan, Michigan. He has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Dkt. 1). Shortly after he filed the petition, Petitioner filed a letter advising the Court that he mistakenly neglected to include the filing fee with his petition. See 4/7/2016 Letter from Dantzler (Dkt. 2). He stated that he had made arrangements for payment of the filing fee and the fee would be received by the Court in seven to ten days. Id. It has been approximately two months since Petitioner filed that letter and the Court has not received the filing fee, nor has Petitioner sought leave to proceed in forma pauperis. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915.

Petitioner was aware of the filing deficiency and did not correct the deficiency in a reasonable time or seek additional time to do so. Accordingly, the petition is dismissed without prejudice. Reasonable jurists would not debate the Court's conclusion that Petitioner has failed to comply with the fee requirements for filing a habeas corpus petition. The Court therefore

declines to grant a certificate of appealability under 28 U.S.C. § 2253(c)(2). See Slack v. McDaniel, 529 U.S. 473, 484 (2000).

SO ORDERED.

Dated: August 1, 2016
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 1, 2016.

s/Karri Sandusky
Case Manager